

CHAPTER 11
Orderly Conduct

11.27 Drinking on Public Streets Prohibited

(Cr. #23-80)

(1) No person shall drink, consume, transport, carry or possess any intoxicating liquor, wine or fermented malt beverage, except in the original package and with the seal unbroken, either in or out of the vehicle in any of the following places:

(a) Any City owned or controlled parking lot.

(b) (Am. #31-93) (Am. #31-99) Any public street, public walkway, highway, alley, sidewalk, plaza area as defined and designated in sec. 11.07, or other similar place or public way within the City.

Notwithstanding the specific limitations set forth in (4) below, the prohibitions of this paragraph shall apply to Veterans Park and Youmann Park.

(c) Any privately owned parking lot, driveway or lot used for vehicular traffic with the express or implied permission of the owner for public use thereof, unless expressly authorized in writing by the owner of such parking lot, driveway or lot.

(d) Any grounds under the control of the Waukesha School District; and the grounds of any privately owned and operated school, church, hospital or other institution frequented by the public, unless expressly authorized by the owner thereof.

(2) The holder of a Class B fermented malt beverage or intoxicating liquor license shall make every reasonable effort to discourage patrons from taking fermented malt beverages or intoxicating liquors or wine from the licensed premises when such beverages are served for consumption on the premises.

(3) (Am. #31-80) (Am. #5-05) The Common Council may permit the consumption or possession of fermented malt beverages, wine or intoxicating liquors in specifically authorized public places or at any event for which a temporary "picnic" license has been issued pursuant to Chapter 9 of this Municipal Code. The alderperson of an aldermanic district may permit the consumption or possession of fermented malt beverages, wine or intoxicating liquors at "block parties" within his/her district. All block parties must end at 11:30 p.m.

(4) (Cr. #11-99) (Am. #18-01) (a) No person shall drink, consume, transport, carry or possess, except in the original package and with the seal unbroken, any intoxicating liquor, wine, or fermented malt beverages as those terms are defined in sec. 125.02, Wis. Stats., in any public park, except in specified locations identified in a picnic/special

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gathering permit issued by the Parks, Recreation and Forestry Department pursuant to this subsection.

(b) A picnic/special gathering permit may be issued for the consumption and possession of fermented malt beverages and wine for specified locations in public parks. A picnic/special gathering permit may also be issued for the Schuetze, Rotary, and Shurts buildings respectively for the consumption of fermented malt beverages, wine and intoxicating liquor. Such permits may be issued only for the following hours: Monday through Friday from 4 p.m. to 10 p.m. and Saturday and Sunday from 10 a.m. to 10 p.m., Memorial Day, the Fourth of July, and Labor Day shall be treated as a weekend day if that holiday is legally observed on a weekday.

(c) Picnic/special gathering permits may be obtained from the Parks, Recreation and Forestry Department on a first-come, first-served, basis during regular business hours on a form provided by the Parks, Recreation and Forestry Department.

(d) The Parks, Recreation and Forestry Department may deny the issuance of a permit if: 1. The applicant has a documented history of past violations of this subsection;

2. The applicant has a documented history of arrests and convictions of subsections 1-3 above.

3. A permit has already been issued for the date, time and location requested by the applicant, or the permit would conflict with other events scheduled for the park.

(e) A permit shall not be required for designated ball diamond areas at Buchner and Saratoga Parks during a City sanctioned league ball game.